



FAIRFAX COUNTY

OFFICE OF COMPREHENSIVE PLANNING
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

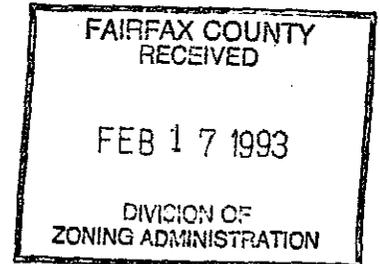
V I R G I N I A

(703) 324-1290

Fax 324-3924

February 17, 1993

Anne Kerr, President
Country Day School @ Lake Anne
1603 Washington Plaza
Reston, Virginia 22090



Re: Interpretation for A-502-2 - Section One of the First RPC of Reston;
Tax Map 17-2 ((31)) A; Lake Anne Plaza

Dear Ms. Kerr:

This is in response to your letter of January 19, 1993 requesting an interpretation of the Development Plan (DP) approved by the Board of Supervisors in conjunction with the approval of rezoning A-502. As I understand it, the question is whether an expansion of the existing child care facility located at 1603 Washington Plaza in Reston, Virginia from fifty (50) children to a maximum of ninety-nine (99) children is in substantial conformance with the approved DP. Copies of the above referenced letter and a reduction of the approved Development Plan are attached for reference.

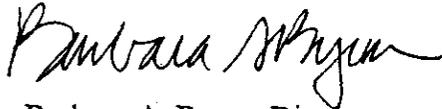
The child care use is shown on the approved DP dated August 26, 1965 and titled Revisions to Section I - Reston Sheet 8 of 11 - 1st R.P.C. The use is shown to be located on the second floor, without any specifics as to size or number of children, the roof is shown as a playground. A review of the files shows that the last non-residential use permit issued and dated December 16, 1991 was limited to a total of 50 children within a 3,475 square foot day care facility. You have provided copies of a Fire Marshall's Report of Inspection dated March 19, 1992 and a building inspection report dated February 27, 1992 from the Department of Environmental Management, Division of Critical Structures, stating that the building can accommodate up to 99 children.

This property is located within a Village Center within the Planned Residential Community (PRC) District. Par. 10 of Sect. 6-302 states that Institutional uses (Group 3) including child care centers and nursery schools which have an enrollment of less than 100 students daily are permitted in a Village Center. Sect. 6-305 requires that the use be shown on the approved Development plan. It is my determination that a child care center or nursery school with an enrollment of less than 100 children is in substantial conformance with the approved Development Plan. This determination has been made in my capacity as the duly authorized agent of the Zoning Administrator. You will need to obtain a new non-residential use permit for 99 children. That permit will need to reflect the hours of operation and the owner(s) of the day care center.

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Ms. Ann Kerr

If you have any questions regarding this interpretation, please feel free to contact me or Lisa Feibelman at (703) 324-1290.

Sincerely,



Barbara A. Byron, Director
Zoning Evaluation Division, OCP

BAB/LF/hh/77:40

Attachments: A/S

cc: Robert B. Dix, Jr., Supervisor, Hunter Mill District
John M Palatiello, Planning Commissioner, Hunter Mill District
Jane W. Gwinn, Zoning Administrator
Edward J. Jankewicz, Director, Design Review Division, DEM
Melinda Artman, Deputy Zoning Administrator for Permit,
Plan Review Branch, ZAD, OCP
Leslie Johnson, Assistant to Zoning Administrator, ZAD, OCP
Michelle Brickner, Chief, Site Review Branch, DEM
Bonds and Agreements Branch, DRD, DEM
File: A-502-2