

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

KREATIVE MINDS, LLC T/A KID JUNCTION, SP 2012-SU-080 Appl. under Sect(s). 5-303 of the Zoning Ordinance to permit a commercial recreation use within an existing building. Located at 4090 Lafayette Center Dr., Chantilly, 20151, on approx. 5.11 ac. of land zoned I-4, I-3, AN, HC and WS. Sully District. Tax Map 33-2 ((4)) 1A. 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 February 13, 2013; and

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

1. The present zoning is I-3, I-4, HC, AN, and WS.
2. The area of the lot is 5.11 acres of land.
3. Staff has recommended approval of this, the proposed development conditions and the application.
4. This blends in perfectly with the area.
5. There is already an academy and/or child care facility located there, other offices and light retail.
6. This makes a good addition.

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, Kreative Minds, LLC T/A Kid Junction, only and is not transferable without further action of this Board, and is for the location indicated on the application, at 4090 Lafayette Center Drive, Suite E, Chantilly, 20151, 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 Arch Group, dated September 30, 2012, revised through February 1, 2013, approved with this application, as

qualified by these development conditions.

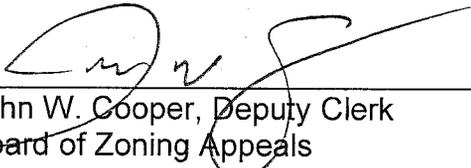
3. A copy of this special permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum occupancy is limited to 162 customers and seven employees on-site at any one time.
5. Parking shall be provided in accordance with Article 11 of the Fairfax County Zoning Ordinance. If required by DPWES, a parking tabulation shall be submitted to and approved by the Director which shows that the required parking for all uses can be provided for on Lot 1A as shown on the special permit plat. All parking for this use shall be on site.
6. The maximum gross floor area of the commercial recreation shall be 9,313 square feet, as shown on the special permit plat.
7. The floor plan shall be constructed in substantial conformance as shown in the special permit plat.

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, thirty (30) months after the date of approval unless the use has been established as outline 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.

Ms. Gibb seconded the motion, which carried by a vote of 6-0. Mr. Hammack was absent from the meeting.

A Copy Teste:



John W. Cooper, Deputy Clerk
Board of Zoning Appeals