

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

FELIZA CHOQUE, SP 2013-DR-104 Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 1913 Hillside Dr., Falls Church, 22043, on approx. 10,962 sq. ft. of land zoned R-4. Dranesville District. Tax Map 40-1 ((16)) 216. Mr. Hart 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 26, 2014; and

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

1. The applicant is the owner of the property.
2. The Board has a favorable staff recommendation and adopts the rationale in the staff report.
3. With the imposition of the development conditions, there would not any significant negative impact on anyone.
4. Although the front yard pavement coverage is over the limit now, with the development conditions that would be removed.
5. It appears that this proposed use is consistent with many similar approvals.

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, Feliza Choque, only and is not transferable without further action of the Board, and is for the location indicated on the application, 1913 Hillside Drive, 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 plat entitled, "Lot 216, Hillside Drive" prepared by Feliza Choque, dated October 8, 2013, and approved with this application, as qualified

by these development conditions, with the exception of the shed and patio on the north side of the lot.

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 hours of operation of the home child care facility shall be limited to 7:30 a.m. to 6:00 p.m., Monday through Friday.
5. A minimum of 33 square feet of driveway pavement shall be removed and the area scarified and replanted with grass and/or ornamental vegetation.
6. The dwelling that contains the child care facility shall be the primary residence of the applicant.
7. The maximum number of children on site at any one time shall be 12, excluding the applicant's own children.
8. There shall be no signage associated with the home child care facility.
9. The location of the shed and concrete patio is subject to the terms and conditions of any existing storm drainage easement specifications.

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, three (3) 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.

Ms. Theodore seconded the motion, which carried by a vote of 7-0.

A Copy Teste:



Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals