



County of Fairfax, Virginia

May 8, 2015

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Department of Planning & Zoning

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Zoning Evaluation Division

2015 Planning
Commission

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Vice Chairman
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Secretary
At-Large

Timothy J. Sargeant
Parliamentarian
At-Large

KC Shree, Owner
Mrs. Rati's Home Daycare
10639 John Ayres Drive
Fairfax, VA 22032

**Re: SE 2014-BR-039 – RATI KC d/b/a MRS. RATI'S FAMILY HOME
DAYCARE
Braddock District**

Dear Mr. Shree:

At its May 6, 2015 meeting, the Planning Commission voted 10-0 (Commissioners Lawrence and Sargeant were absent from the meeting) to **RECOMMEND APPROVAL** of the above referenced application to the Board of Supervisors. A copy of the verbatim transcript is attached.

This letter serves as a record of the Planning Commission's recommendation to the Board of Supervisors and not as the final approval. The application is still subject to final decision by the Board of Supervisors.

This action does not constitute exemption from the various requirements of this county and state. The applicant is responsible for ascertaining if permits are required and obtaining the necessary permits such as Building Permits, Residential Use Permits and Non-Residential Use Permits. Information concerning building permits may be obtained by calling 703-222-0801.

Sincerely,

Jill G. Cooper, AICP
Executive Director

Attachments (a/s)

cc: John Cook, Supervisor, Braddock District
Ellen Hurley, Planning Commissioner, Braddock District
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office
Joseph Gorney, Staff Coordinator, ZED, DPZ
Robert Harrison, ZED, DPZ
May 6, 2015 date file

To request special accommodations, call the Planning Commission office at 703-324-2865, TTY 703-324-7951. Please allow seven working days to make the appropriate arrangements.

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John W. Cooper
Clerk to the Commission





Planning Commission Meeting
May 6, 2015
Verbatim Excerpt

SE 2014-BR-039 – RATI KC d/b/a MRS. RATT'S FAMILY HOME DAYCARE

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Ms. Hurley.

Commissioner Hurley: Thank you, Mr. Chairman. If the applicant could, come to the podium again, please.

Chairman Murphy: Please come up, sir.

Commissioner Hurley: And could you please reaffirm your agreement with the proposed development conditions dated March – I'm sorry, May 6th, 2015. Do you understand them?

KC Shree, Owner, Mrs. Rati's Family Home Daycare: Yes, I do.

Commissioner Hurley: Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE 2014-BR-039, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 6TH, 2015.

Commissioner Ulfelder: Second.

Chairman Murphy: Seconded by Mr. Ulfelder. Is there a discussion of that motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2014-BR-039, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried by a vote of 10-0. Commissioners Lawrence and Sargeant were absent from the meeting.)

JN



PROPOSED DEVELOPMENT CONDITIONS

SE 2014-BR-039

May 6, 2015

If it is the intent of the Board of Supervisors to approve SE 2014-BR-039 located at 10639 John Ayres Drive, Tax Map 77-1 ((12)) 182, for a home child care facility of up to twelve children, pursuant to Sect. 6-105 of the Fairfax County Zoning Ordinance, and an increase in fence height in front yards, pursuant to Sect. 10-104 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the home child care use and fence indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. Any plan or permit submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat, dated October 24, 2007, consisting of the Plat entitled "Lot 182, Section 6, Fairfax Club Estates," prepared by Alexandria Surveys International, LLC, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of the special exception conditions shall be posted in a conspicuous place on the property and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
5. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed twelve.
6. The hours of operation for the home child care facility shall not exceed 7:00 a.m. to 6:00 p.m.
7. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility, with the hours of such attendance limited to 7:00 a.m. to 6:00 p.m.
8. The dwelling that contains the home child care facility shall be the primary residence of the provider.
9. The existing two-car garage shall not be converted to any use which would preclude the parking of vehicles, and shall be kept clear of debris at all times in order to accommodate parking for the dwelling and the home child care provider.

10. There shall be no signage associated with the home child care facility.
11. All outdoor play equipment shall conform to all applicable state regulations and standards.
12. Fencing shall be allowed within the front yards only as indicated on the plat and shall be restricted to six feet tall or less. All portions of the fence shall be located outside of the public right-of-way.
13. In accordance with the Uniform Statewide Building Code, clearances of 30 inches will be maintained to the front and sides of the service panels for the water heater and furnace.
14. Both parking spaces in the driveway shall be left open during the hours of operation of the home child care facility for the drop-off and pick-up of children. The arrival and departure of children shall be staggered to help ensure that the spaces will be available. Parking is also allowed on the adjacent public streets.
15. Approval of this use is contingent upon maintenance of a state license for a Home Child Care facility for the number of children on-site.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by the Board.

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. 9-015 of the Zoning Ordinance, this special exception shall take effect upon approval by the Board of Supervisors.



County of Fairfax, Virginia

November 21, 2014

**2014 Planning
Commission**

Peter F. Murphy
Chairman
Springfield District

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Vice Chairman
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KC Rati
Mrs. Rati's Family Home Daycare
10639 John Ayres Drive
Fairfax, Virginia, 22032

Re: **SE 2014-BR-039 – RATI KC D/B/A MRS. RATI'S FAMILY HOME
DAYCARE
Braddock District**

Dear Ms. Rati:

At its November 20, 2014 meeting, the Planning Commission voted 11-0 (Commissioner Migliaccio was absent from the meeting) to **DEFER THE PUBLIC HEARING** on the above referenced application to an indefinite date. A copy of the verbatim transcript is attached.

Sincerely,

Jill G. Cooper, AICP
Executive Director

Attachments (a/s)

cc: John Cook, Supervisor, Braddock District
Ellen Hurley, Planning Commissioner, Braddock District
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office
Joseph Gorney, Staff Coordinator, ZED, DPZ
Robert Harrison, ZED, DPZ
November 20, 2014 date file

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Planning Commission Meeting
November 20, 2014
Verbatim Excerpt

SE 2014-BR-039 – RATI KC D/B/A MRS. RATI'S FAMILY HOME DAYCARE

During Commission Matters

Commissioner Hurley: Thank you, Mr. Chairman. I would like to defer – to indefinitely – a child care case. It's not a safety issue. It's an admin detail that needs to be taken care of. Therefore, Mr. Chairman, I MOVE TO DEFER SE 2014-BR-039, RATI KC D/B/A MRS. RATI'S FAMILY HOME DAYCARE TO AN INDEFINITE DATE.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion to defer SE 2014-BR-039 indefinitely, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried by a vote of 11-0. Commissioner Migliaccio was absent from the meeting.)

JLC