



County of Fairfax, Virginia

October 15, 2015

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Department of Planning & Zoning

OCT 19 2015

Zoning Evaluation Division

2015 Planning Commission

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Sully District

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Executive Director

Kimberly A. Bassarab
Assistant Director

John W. Cooper
Clerk to the Commission

Claudio A. Vargas
3930 Kernstown Court
Fairfax, Virginia 22033

Re: SE 2015-SU-010 – CLAUDIO A. VARGAS
Sully District

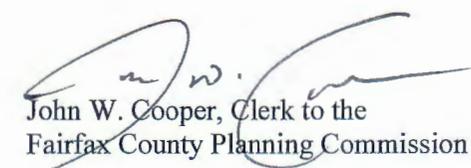
Dear Mr. Vargas:

At its October 14, 2015 meeting, the Planning Commission voted 10-0 (Commissioners Lawrence and Murphy were absent from the meeting) to **RECOMMEND APPROVAL** on the above referenced application to the Board of Supervisors, subject to development conditions dated October 14, 2015, as attached. 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,

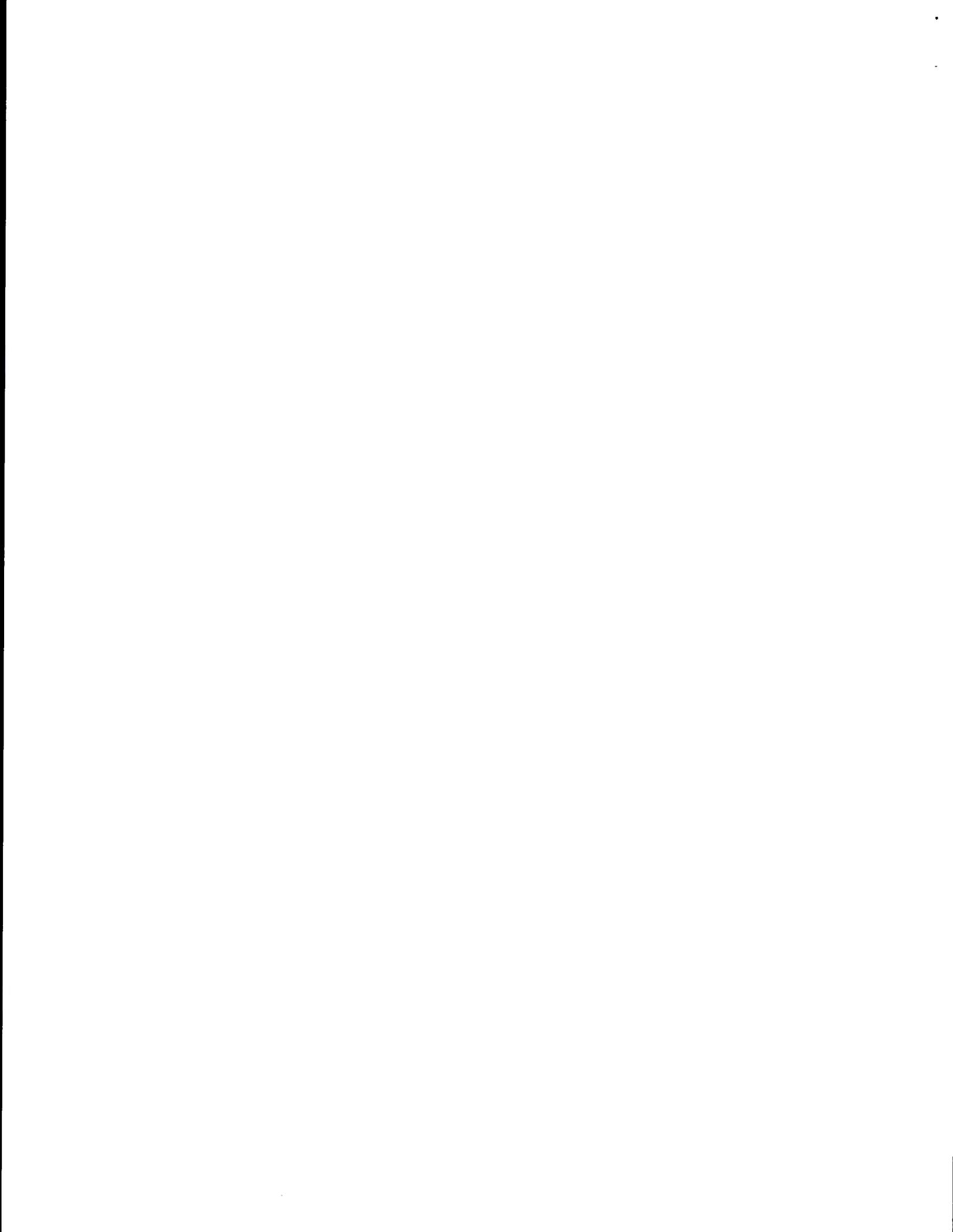

John W. Cooper, Clerk to the
Fairfax County Planning Commission

Attachments (a/s)

cc: Michael R. Frey, Supervisor, Sully District
John L. Litzenberger, Planning Commissioner, Sully District
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office
Michael H. Lynskey, Staff Coordinator, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ)
Robert Harrison, ZED, DPZ
October 14, 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.





Planning Commission Meeting
October 14, 2015
Verbatim Excerpt

SE 2015-SU-010 – CLAUDIO A. VARGAS

After Close of the Public Hearing

Commissioner Litzenberger: Thank you, Mr. Chairman. Mr. Vargas, would you please come and confirm on the record, do you agree with the development conditions dated October 14, 2015?

Claudio Vargas, Applicant/Title Owner: Yes, I confirm.

Commissioner Litzenberger: Thank you, you may sit down.

Vice Chairman de la Fe: Thank you.

Commissioner Litzenberger: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISOR APPROVE SE 2015-SU-010, AS SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED OCTOBER 14TH, 2015.

Commissioners Flanagan and Hedetniemi: Second.

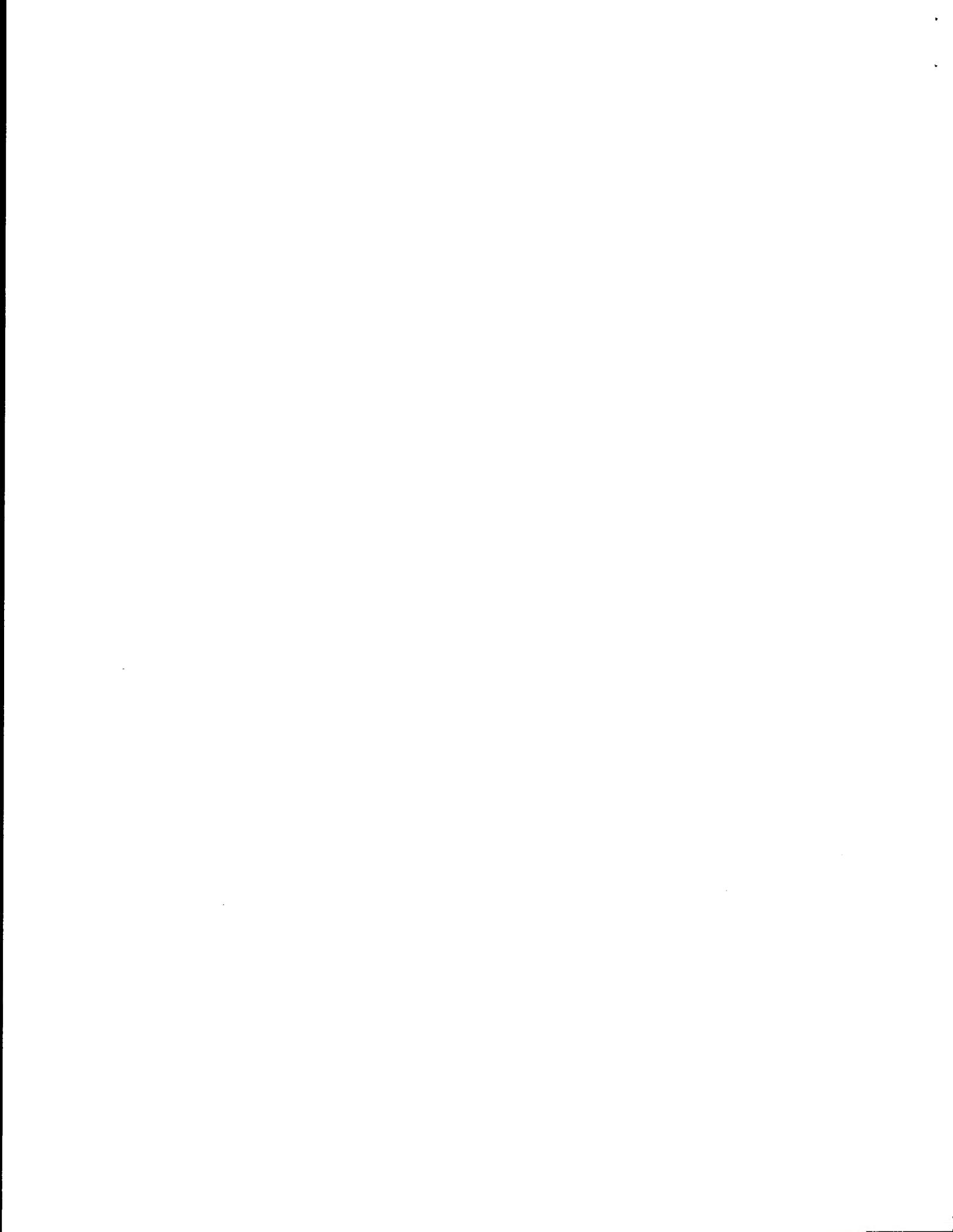
Vice Chairman de la Fe: Seconded by Commissioners Flanagan and Hedetniemi. Any discussion? Hearing and seeing none, all those in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

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



PROPOSED DEVELOPMENT CONDITIONS

SE 2015-SU-010

~~September 30, 2015~~ October 14, 2015

If it is the intent of the Board of Supervisors to approve SE 2015-SU-010, located at 3930 Kernstown Ct., Tax Map 45-1((8))(16)-21, for a home child-care facility for up to 12 children and up to two assistants, pursuant to Sect. 6-105 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 purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. Any permit submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat, consisting of an annotated copy, dated February 21, 2015, of a House Location Survey prepared by Suburban Development Engineering and dated March 5, 1990, 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 these special exception conditions 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.
5. Operation of the home child-care facility shall take place between the hours of 6:00 a.m. to 6:00 p.m., Monday through Friday.
6. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed twelve.
7. A maximum of two non-resident employees, whether paid or not for their services, may be involved in the home child-care facility, with hours of attendance limited to 6:00am to 6:00pm, Monday through Friday.
8. The dwelling that contains the home child-care facility shall be the primary residence of the provider.

9. Children shall be permitted to sleep only in the main, larger basement room, which includes adequate egress, and not in the smaller room that includes no egress window.
10. The two reserved parking spaces associated with the application property shall be reserved exclusively for child drop-off and pick-up during operating hours of the home child-care. Vehicles belonging to the owner(s) and/or employees shall not utilize the reserved spaces during operating hours. The Arrival and departure of children shall be staggered to ensure that the drop-off and pick-up of children may be accommodated in the reserved parking spaces.
11. There shall be no signage associated with the home child-care facility.
12. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number and ages of children being cared for at the home child care facility.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that 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 Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above.



County of Fairfax, Virginia

2015 Planning Commission

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Clerk to the Commission

September 17, 2015

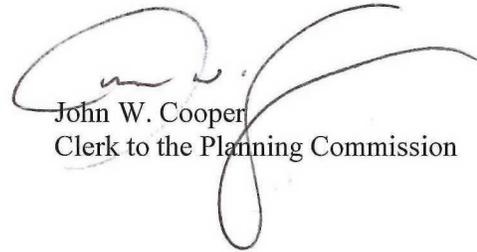
Claudio Vargas
3930 Kernstown Court
Fairfax, VA 22033

**Re: SE 2015-SU-010 – CLAUDIO A. VARGAS
Sully District**

Dear Ms. Vargas:

At its September 16, 2015 meeting, the Planning Commission voted 9-0 (Commissioners Flanagan, Lawrence, and Strandlie were absent from the meeting) to **DEFER THE PUBLIC HEARING** of the above-referenced application to a date certain of October 14, 2015. A copy of the verbatim transcript is attached.

Sincerely,



John W. Cooper
Clerk to the Planning Commission

cc: Michael Frey, Supervisor, Sully District
John Litzenberger, Planning Commissioner, Sully District
Catherine A. Chianese, Assistant County Executive, Clerk to the Board of Supervisors, County Executive Office
Michael Lynskey, Staff Coordinator, ZED, DPZ
Robert Harrison, ZED, DPZ
September 16, 2015 date file

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Planning Commission Meeting
September 16, 2015
Verbatim Excerpt

SE 2015-SU-010 – CLAUDIO A. VARGAS

During Commission Matters

Commissioner Litzenberger: Yes. I'm trying to find the – okay. Due to a request by the applicant for a later hearing date, I MOVE THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON SE 2015-SU-010 TO A DATE CERTAIN OF OCTOBER 14TH, 2015.

Commissioner Hedetniemi: Second.

Chairman Murphy: Seconded by Ms. Hedetniemi. Is there a discussion? All those in favor of the motion to defer the application, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried by a vote of 9-0. Commissioners Flanagan, Lawrence, and Strandlie were absent from the meeting.)

JLC