

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

SHAZIA NAWAZ, SP 2015-MA-015 Appl. under Sect(s). 3-2003 and 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 6223 Squires Hill Dr., Falls Church, 22044, on approx. 1,730 sq. ft. of land zoned R-20, CRD, HC, and SC. Mason District. Tax Map 51-3 ((40)) 2. Mr. Hammack 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 January 13, 2016; and

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

1. The applicant is the owner of the land.
2. There is a favorable staff recommendation for up to ten (10) children, but the Board considers only eight (8) children to be appropriate.
3. The questions raised at the last hearing have been satisfactorily answered by the applicant.
4. The applicant has read and understands the proposed development conditions as modified.

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, Shazia Nawaz, and is not transferable without further action of the Board, and is for the location indicated on the application, 6223 Squires Hill Drive, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the plat entitled "House Location Survey, 6223 Squires Hill Drive, Falls Church, VA, 22044," modified by the applicant on January 21, 2015, and approved with this application, as qualified by these development conditions.

3. A copy of the special permit 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.
4. The applicant shall continue to operate within the approved hours of operation, 6:00 a.m. to 6:00 p.m., Monday through Friday, until a revised state license is obtained with the requested hours of operation of 6:00 a.m. to 7:00 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed eight (8).
7. A maximum of two non-resident employees may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday.
8. All pick-up and drop-off of children shall occur in the driveway. The applicant and employees shall park off-site during the hours of operation of the home child care.
9. There shall be no signage associated with the home child care facility.
10. 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.
11. Any portions of the dwelling associated with the home child care facility that are used as a children's sleeping or rest area shall be located in a room with an operable exterior window, door or similar device that provides for a means of escape and access for rescue in the event of an emergency. Such emergency escape and rescue openings shall be of the dimension and size specified by the Virginia Uniform Statewide Building Code.
12. The child care facility shall be operated in accordance with Chapter 30 of the County Code, entitled "Minimum Private School and Child Care Facility Standards".
13. The converted garage shall not be utilized for the home child care use, including but not limited to, the entrance to the home child care or as a play area, until a building permit and final inspection are obtained. The applicant shall obtain a building permit and inspection within 30 days of approval of the application. The applicant shall use the main level entrance of the dwelling to access the home child care until this building permit and inspection are obtained.

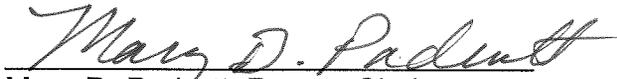
14. The applicant shall lock the gate in the rear yard of the dwelling during the hours of operation of the home child care.

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 take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

Mr. Hart seconded the motion, which carried by a vote of 6-0. Mr. Smith was absent was absent from the meeting.

A Copy Teste:



Mary D. Padrutt, Deputy Clerk
Board of Zoning Appeals