



# County of Fairfax, Virginia

*To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County*

March 2, 2016

Claudio A. Vargas  
3930 Kernstown Court  
Fairfax, VA 22033

Re: Special Exception Application SE 2015-SU-010

Dear Ms. Vargas:

At a regular meeting of the Board of Supervisors held on March 1, 2016, the Board approved Special Exception Application SE 2015-SU-010 in the name of Claudio A. Vargas. The subject property is located at 3930 Kernstown Court, on approximately 2,370 square feet of land, zoned PDH-3 and WS and HC in the Sully District [Tax Map 45-1 ((8)) (16) 21]. The Board's action permits a home child care facility, pursuant to Sections of 6-105, 6-106, and 8-305 the Fairfax County Zoning Ordinance, 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.

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**Office of the Clerk to the Board of Supervisors**  
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SE 2015-SU-010  
March 2, 2016

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 6:00 a.m. to 6:00 p.m., 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.

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.

Sincerely,



Catherine A. Chianese  
Clerk to the Board of Supervisors

SE 2015-SU-010

March 2, 2016

cc: Chairman Sharon Bulova  
Supervisor Kathy L. Smith, Sully District  
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration  
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ  
Diane Johnson-Quinn, Deputy Zoning Administrator, Dept. of Planning and Zoning  
Thomas Conry, Dept. Manager, GIS, Mapping/Overlay  
Michael Davis, Section Chief, Transportation Planning Division  
Donald Stephens, Transportation Planning Division  
Ken Williams, Plans & Document Control, ESRD, DPWES  
Department of Highways-VDOT  
Sandy Stallman, Park Planning Branch Manager, FCPA  
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division  
Jill Cooper, Executive Director, Planning Commission  
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation