

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

JENNIFER SENZANO/KRISTHIAN SENZANO, SP 2015-LE-155 Appl. under Sect(s). 8-305 and 8-303 of the Zoning Ordinance to permit a home child care facility. Located at 6405 Meriwether Ln., Springfield, 22150, on approx. 19,995 sq. ft. of land zoned R-3. Lee District. Tax Map 81-3 ((15)) 3. (*Admin. moved from 3/16/16, 4/20/16, and 5/18/16 at appl. req.*) 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 June 22, 2016; and

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

1. The applicants are the owners of the land.
2. The applicants have read, understand, and concur with the proposed development conditions.
3. There is a favorable Staff recommendation, and the Board adopts Staff's rationale.
4. The issue of the swimming pool has been addressed in the development conditions, with the pool being fenced and the fence locked.
5. The primary play area is a fenced area in the side yard of the dwelling.
6. There is adequate parking and pick up and drop will take place in the driveway with little on-street parking being generated. There will be a minimal impact on neighbors.
7. There will be no use of the unapproved structures until they are inspected and proper permits obtained.
8. This case meets applicable standards, and is consistent with other home child care's which the Board has approved in single-family neighborhoods.

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 applicants, Jennifer and Kristhian Senzano, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 6405 Meriwether Lane, 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, "Lot 3, York Manor," prepared by John P. DiGuilian on November 23, 1982, as revised by the applicants Jennifer and Kristhian Senzano on November 16, 2015, and approved with this application, as qualified by these development conditions.
3. A copy of this special permit 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 home child care facility.
4. All pick-up and drop-off activities shall occur in the applicant's driveway.
5. The hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday.
6. The dwelling that contains the child care facility shall be the primary residence of the applicant.
7. Excluding the applicant's own children, the maximum number of children on site at any one time shall not exceed twelve (12).
8. A maximum of two non-resident employees, whether paid or not for their services, may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m.
9. There shall be no signage associated with the home child care facility.
10. Any portions of the dwelling associated with the home child care facility that are used as children's sleeping or rest areas 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 shall be of the dimension and size specified by the Virginia Uniform Statewide Building Code.
11. 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.
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 applicants shall obtain all applicable building permits for the garage and the deck within thirty (30) days of BZA approval and final inspections within six (6) months. The deck shall not be utilized as a part of the home child care operation until such permits and inspections have been obtained and passed.

14. The in-ground pool shall be enclosed with a barrier or fence at least four feet in height. Such fence or barrier shall remain locked at all times during the 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.

Ms. Theodore seconded the motion, which carried by a vote of 6-0. Chairman Ribble was not present for the vote.

A Copy Teste:



Emily J. Armstrong, Deputy Clerk
Board of Zoning Appeals