

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

MARIA ELENA CAMACHO GREAT FALLS DAYCARE LLC, SP 2015-DR-106 Appl. under Sect(s). 3-103 and 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 1121 Walker Rd., Great Falls, 22066, on approx. 43,640 sq. ft. of land zoned R-1. Dranesville District. Tax Map 12-4 ((1)) 19. Ms. Theodore 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 October 28, 2015; and

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

1. The owner of the property is the applicant.
2. The present zoning is R-1.
3. The area of the lot is 43,640 square feet.
4. The Department of Transportation and Zoning Evaluation staff both recommended approval with ten children. The Board is proposing to approve up to twelve children based on discussion with staff and the applicant today.
5. The staff report indicates that the applicant has been operating a home child care facility at the current location for approximately 11 years with no complaints. She has cared for up to twelve children until April of 2015, when her license was reduced due to the fact that she had not filed for a special permit.
6. Parents drive forward out of the driveway, with no backing out taking place.
7. The applicant has read, understands, and agrees with the proposed development conditions.
8. The Board received a number of letters in support from parents.

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, Maria E. Camacho, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 1121 Walker Road, 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, "Plat Showing House Location on The Property Located at 1121 Walker Road" prepared by Jack M. Wilbern on June 10, 2015, as revised by the applicant on June 12, 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 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. All pick-up and drop-off shall occur in the applicant's gravel parking area.
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. There shall be no signage associated with the home child care facility.
9. 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.
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 provide for a means of escape and access for rescue in the event of an emergency. Such an 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.

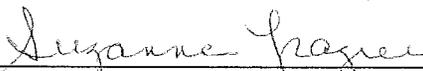
12. The child care facility shall be operated in accordance with Chapter 30 of the County Code, entitled "Minimum Private School and Child Care Facility Standards."
13. Supplemental screening plantings shall be provided along the northern and eastern property lines abutting lots 12-4 ((20)) 6 and 12-4 ((22)) 1A with the following specifications:
  - a. Single row Category II or III evergreens,
  - b. Six (6) feet in height; and
  - c. Spaced at ten (10) foot centers.

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 automatically expire, without notice, six months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

Mr. Hart seconded the motion, which carried by a vote of 5-0. Mr. Smith and Mr. Hammack were absent from the meeting.

A Copy Teste:

  
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Suzanne Frazier, Deputy Clerk  
Board of Zoning Appeals