

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ESMAT HASSAN RADWAN, SP 2014-SU-014 Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 2739 Clarkes Landing Dr., Oakton, 22124, on approx. 20,166 sq. ft. of land zoned R-1. Sully District. Tax Map 36-4 ((13)) 58. 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 June 4, 2014; and

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

1. The applicant is the owner of the land.

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 only, Esmat Hassan Radwan, and is not transferable without further action of the Board, and is for the location indicated on the application, 2739 Clarkes Landing Drive, and is not transferable to other land.
2. This special permit is granted only for the home child care facility use indicated on the special permit plat prepared by Orlo C. Paciulli & Associates, dated December 18, 1973, as revised through February 5, 2014, by Esmat Hassan Radwan, applicant, 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. The maximum hours of operation of the home child care facility shall be limited to 6:30 a.m. to 6:30 p.m., Monday through Friday.

5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. The maximum number of children on site at any one time shall be 12, excluding the applicant's own children.
7. There shall be no signage associated with the home child care facility.
8. The applicant shall maintain a safe, continuous, and unobstructed path of travel, with adequate aisle widths as determined by the zoning inspection staff, from all points in the home child care facility to points of emergency egress.
9. A staircase guardrail, which meets safety requirements of the Virginia Residential Building Code, shall be installed for the staircase leading from the main floor to the "Playing Room" as labeled on the floor plan in Attachment 1. This guardrail shall be installed and inspected within 30 days of the approval of the special permit.
10. All applicable permits and inspections shall be obtained prior to establishment of the use, to be demonstrated to the satisfaction of the Zoning Administration Division, including any electrical or plumbing inspections as may be required.

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, three 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. Byers seconded the motion, which carried by a vote of 7-0.

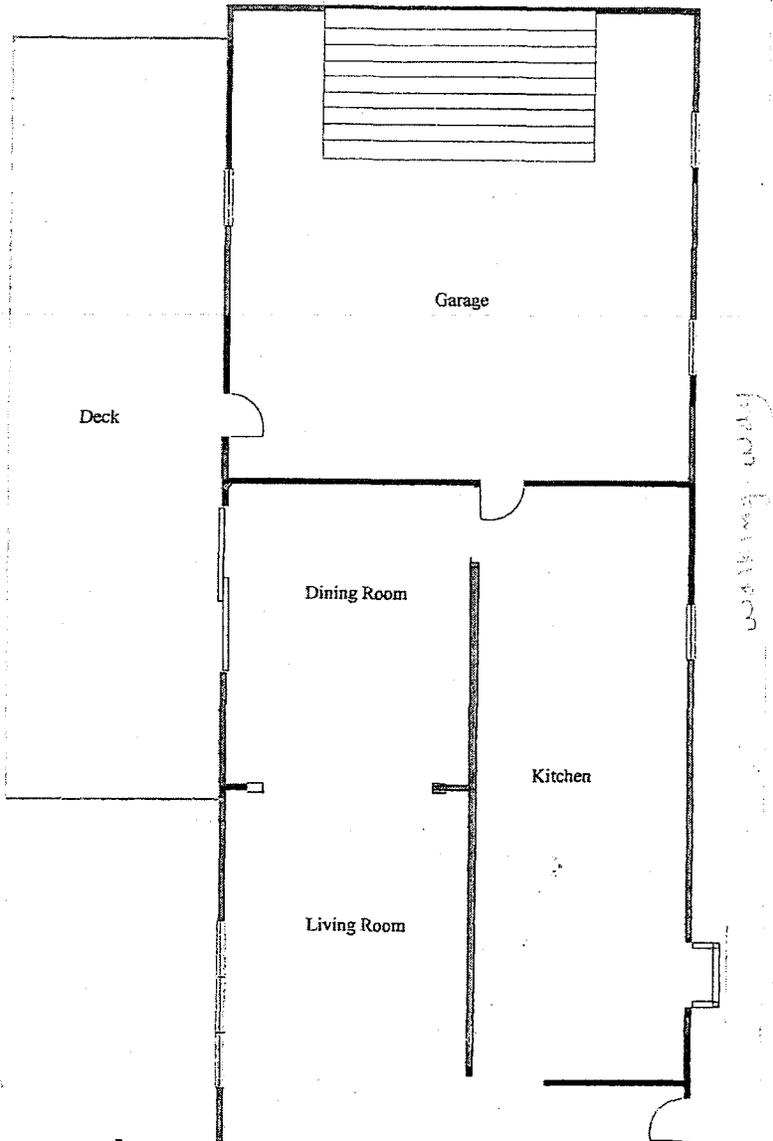
A Copy Teste:


Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals

← Parking →

Clearance 8'

Private
(Parking)



Parking →

Stamper Court

Back Yard
(Play Ground)

Front Yard

Front Yard

1 basin
1 toilet

7 Steps
down from
main floor

Laundry
Room

Sleeping Room
(For Child Care Center)

Playing Room
(For Child Care Center)

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Department of Planning & Zoning

JUL 29 2013

Zoning Evaluation Division

116

10 5'

17' 10"

Garage