

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

MOMMY DAYCARE (ALMA L. CORDOVA), SP 2014-LE-058 Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 6111 Paulonia Rd., Alexandria, 22310, on approx. 10,064 sq. ft. of land zoned R-4. Lee District. Tax Map 82-4 ((14)) (19) 17. (Admin. moved from 9/24/14 at appl. req.) (Dec. deferred from 3/11/15.) 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 April 1, 2015; and

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

1. The applicant is the owner of the property.
2. The present zoning is R-4.
3. The area of the lot is 10,064 square feet.
4. The applicant has relocated the sleeping area for the children to provide adequate egress.
5. The Board received letters in support of this application from surrounding neighbors.
6. There are conditions that address the remediation deck and rear yard coverage issues.
7. The applicant indicated that she read, understands, and agrees to the proposed development conditions.
8. Staff recommends approval of the application, and the Board agrees with their rationale.

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, Mommy Day Care (Alma L. Cordova), and is not transferable without further action of the Board, and is for the location indicated on the application, 6111 Paulonia 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 Lot 17, Block 19, Section 10, Virginia Hills," as drawn by Kenneth W. White, L.S., of Alexandria Surveys dated February 3, 2000, as revised by Ervin Hamar on March 6, 2014, 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 with the state approved hours of operation, 7:00 a.m. to 5:30 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 twelve.
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.
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 of children being cared for at the home child care facility.
11. The deck shall not be used in any way for the home child care use, including but not limited to use as a play area or for access to the rear yard until approval of the final inspection to be obtained within 12 months of approval.
12. The rear yard coverage shall be brought into conformance with Sect. 10-103 (3) of the Zoning Ordinance within 12 months of Special Permit approval, and shall

be demonstrated to the satisfaction of the Department of Planning and Zoning, Zoning Administration Division.

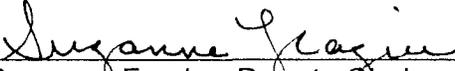
13. The accessory storage structure shall remain locked during the hours of operation of the home child care facility.

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, 12 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 6-0. Mr. Smith was absent from the meeting.

A Copy Teste:



Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals