

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

MANINDER K. LABANA, LITTLE FOOTSTEPS DAYCARE CENTER, SP 2014-SP-073 Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 5935 Colchester Rd., Fairfax, 22030 on approx. 2.36 ac. of land zoned R-C, WS. Springfield District. Tax Map 66-4 ((1)) 8A. 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 1, 2014; and

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

1. The applicant does not own the property, but this is her primary residence.
2. The present zoning is R-C, WS.
3. The area of the lot is 2.36 acres.
4. Staff is recommending approval.
5. Following an inspection, there were no issues of follow-up.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance Sect 8-006, General Standards for Special Permit Uses, 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 development conditions:

1. This approval is granted to the applicant, Maninder K. Labana, Little Footsteps Daycare Center, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 5935 Colchester 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 titled "#5935 Colchester Road & Outlot "A," Colchester Acres," as prepared by Harold A. Logan Associates., P.C, and as revised by the applicant, Maninder Labana, on September 12, 2014, and approved with this application, as qualified by these development conditions.

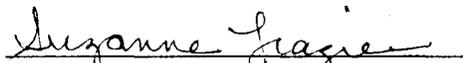
3. A copy of this special permit **SHALL BE POSTED IN A CONSPICUOUS PLACE ON THE PROPERTY** of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:00 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 twelve, excluding the applicant's own children.
7. All pick-up and drop-off of children shall take place in the driveway.
8. The maximum number of assistants for the home child care shall be two.
9. Parking spaces shall be provided on the subject parcel, within the areas of existing paving.
10. There shall be no signage associated with the home child care facility.
11. The play area shall be located in the rear area of the yard beyond the driveway and fenced for security within 60 days.

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

A Copy Teste:


Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals