

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

SHAISTA MIRZA, SHAISTA'S DAYCARE, SP 2014-LE-081 Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 6803 Blue Slate Ct., Alexandria, 22306, on approx. 9,763 sq. ft. of land zoned R-5. Lee District. Tax Map 92-2 ((30)) 398. 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 October 29, 2014; and

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

1. The owner of the property is the applicant.
2. There is a favorable staff recommendation, and the Board adopts the rationale in the staff report.
3. With the adoption of the development conditions, any impacts of the use would be satisfactorily mitigated.

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, Shaista Mirza and Shaista's Daycare, and is not transferable without further action of the Board, and is for the location indicated on the application, 6803 Blue Slate Court, 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, "House Location Lots 398, 399, Section 2, Woodstone," prepared by John T. Monaghan L.S., as revised by Mohammad Mirza on May 8, 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.

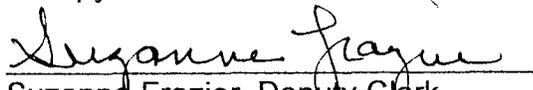
4. The maximum hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. The maximum number of children on site at any one time shall be twelve, excluding the applicant's own children.
7. The maximum number of assistants for the home child care shall be two.
8. All pick-up and drop-off of children shall take place in the driveway.
9. A minimum of two parking spaces shall be provided on the subject parcel within the areas of existing paving for the pick-up and drop-off of children.
10. There shall be no signage associated with the home child care facility.
11. The shed shall be locked at all times during the operation of the child care.
12. Within 12 months of the approval, the applicant shall demonstrate to the satisfaction of the Zoning Administrator that either the deck was permitted and inspected or has subsequently been permitted and inspected. In the meantime, the deck shall not be used in conjunction with the child care use, either for the play area or access to the rear yard.

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. Byers seconded the motion, which carried by a vote of 6-0. Mr. Smith was not present for the vote.

A Copy Teste:



Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals