

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ZARI NOSHAD - JUST LIKE YOUR HOME LLC, SP 2014-DR-090 Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 1414 Claves Ct., Vienna, 22182, on approx. 26,433 sq. ft of land zoned R-2 (Cluster). Dranesville District. Tax Map 19-3 ((4)) 358. Mr. Smith 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 December 3, 2014; 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-2 Cluster.
3. The area of the lot is 26,433 square feet.
4. The staff has recommended approval, and the Board adopts their rationale.
5. There are three letters of support in the file. It was noteworthy that one of the applicant's neighbors who lives across the pipestem took the time to come here and indicated that this was a bonus to the community, and this is someone who would be directly impacted by the use, and certainly fulfills a need that we have within Fairfax County.

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, Zari Noshad, Just Like Your Home, LLC. only, and is not transferable without further action of the Board, and is for the location indicated on the application, 1414 Claves Court, and is not transferable to other land.

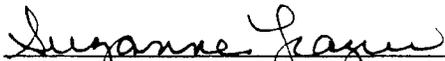
2. This special permit is granted only for the home child care use indicated on the plat entitled, "Plat, Showing House Location on Lot 358, Section 3, Shouse Village," prepared by Kenneth W. White, L.S., as revised by the applicant, Zari Noshad, on February 18, 2014, and approved with this application, 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 hours of operation of the home child care facility shall be limited to 7:30 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. 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. A minimum of four parking spaces shall be provided on the subject parcel, within the areas of existing paving.
9. There shall be no signage associated with the home child care facility.
10. The existing one-car garage shall not be converted to any use that would preclude the parking of vehicles and shall accommodate parking for the dwelling and the home child care facility.
11. The children shall only play outside on the permitted open deck and not in the rear grassed yard.
12. The applicant will be limited to a maximum of two non-resident assistants on site besides herself at any one time.
13. The applicant shall obtain an encroachment agreement for the brick patio from the outside easement owner.

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.

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

A Copy Teste:



Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals