

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

FARANGIS BIGDELI D/B/A FRANCIS'S HOME CHILDCARE / FRANCIS'S FRIENDLY DAYCARE, SP 2014-HM-092 Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 12802 Pinecrest Rd., Herndon, 20171, on approx. 10,500 sq. ft. of land zoned R-2 (Cluster). Hunter Mill District. Tax Map 25-2 ((6)) 685. Mr. Byers 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 November 19, 2014; and

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

1. The owner of the property is the applicant.
2. The zoning is R-2 (Cluster).
3. The lot area is 10,500 square feet.
4. The applicant indicated that she does understand and agrees with the development conditions.

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, Farangis Bigdeli, only and is not transferable without further action of the Board, and is for the location indicated on the application, 12802 Pinecrest Road, Herndon, VA 20171, and is not transferable to other land.
2. This special permit is granted only for the home child care facility indicated on the special permit plat titled "12802 Pinecrest Rd. Herndon VA 20171" prepared by Farangis Bigdeli, dated May 1, 2014, and approved with this application, as qualified by these development conditions.

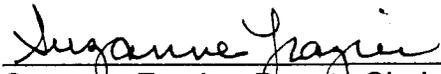
3. A copy of this special permit **SHALL BE POSTED in a conspicuous place on the property of the use** and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 8:00 a.m. to 6:00 p.m., Monday through Friday.
5. The maximum number of children on site at any one time shall be 12, excluding the applicant's own children.
6. The number of non-resident assistants on site at any one time shall be limited to two.
7. All pick-up and drop-off of children shall take place in the driveway and in front of the house off Pinecrest Road.
8. The dwelling that contains the child care facility shall be the primary residence of the applicant.
9. There shall be no signage associated with the home child care facility.
10. Within 12 months from the date of this hearing, the shed structure in the rear yard shall be brought into compliance with the Fairfax County Zoning Ordinance, or a separate special permit or variance shall be applied for and diligently pursued.
11. The shed shall be locked during all periods of the 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, 6 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 5-0. Mr. Smith and Mr. Beard were absent from the meeting.

A Copy Teste:

A handwritten signature in cursive script, reading "Suzanne Frazier", written over a horizontal line.

Suzanne Frazier, Deputy Clerk  
Board of Zoning Appeals