

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

SUSY SOLIZ-TERRAZAS / SUSY'S DAYCARE INC., SP 2014-MA-096 Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 3229 Alice Ct., Falls Church, 22042, on approx. 10,803 sq. ft. of land zoned R-4. Mason District. Tax Map 60-1 ((20)) 8. 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 November 19, 2014; and

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

1. There is a favorable staff recommendation, and the Board adopts the rationale in the staff report.
2. With the imposition of the development conditions, any impact on the neighbors would be satisfactorily mitigated.
3. The conditions do allow the pick-up and drop-off on the street on the Alice Court side, but because of the explanation that staff gave, with the driveway being on Camp Alger Avenue, which is a busier street, under these circumstances, it is appropriate.
4. With the discussion with the applicant about the code-related items, they are going to be resolved in short order.

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, Susy Soliz-Terrazas, only and is not transferable without further action of the Board, and is for the location indicated on the application, 3229 Alice Court, Falls Church, VA 22042, 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, "Plat, Showing Survey of Lots 7 & 8, Broyhill Park, Section Six," prepared by L. Carl Cardner, Jr., dated 6/19/1954, as revised by Suzy Soliz-Terrazas, through April 2, 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 6:00 a.m. to 7:00 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. The dwelling that contains the child care facility shall be the primary residence of the applicant.
8. There shall be no signage associated with the home child care facility.
9. Fencing shall be placed around the play area for the home child care facility in the front yard during times that the children are utilizing the area.
10. The applicant shall repair the interior staircase guardrail prior to the establishment of the use.
11. A working space of not less than 30 inches in width, 36 inches in depth, and 78 inches in height shall be provided in front of the electrical service equipment. No storage of any materials shall be located within the designated working space. This shall be accomplished prior to the establishment of the use and after a follow-up inspection.

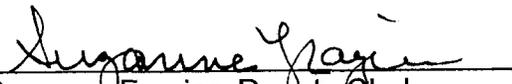
This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

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.

Mr. Hammack and 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:


Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals