

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

CINTIA J. ALVARADO, CINTIA'S DAY CARE, SP 2014-LE-123 Appl. under Sect(s). 8-305 and 3-303 of the Zoning Ordinance to permit a home child care facility. Located at 8301 Frye Rd., Alexandria, 22309, on approx. 1.54 ac. of land zoned R-3. Lee District. Tax Map 101-3 ((1)) 6. (Admin. moved from 1/14/15.) Mr. Beard 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 February 25, 2015; and

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

1. The applicant is the owner of the property.
2. The present zoning is R-3.
3. The area of the property is 1.54 acres.
4. Staff has recommended approval of the application, and the Board adopts their rationale.
5. Mr. Beard visited the facility and it lends itself quite nicely to a child care facility.
6. There were some notices of things brought to the hearing pursuant to another business that is being resolved in 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, Cintia Alvarado, Cintias Day Care, and is not transferable without further action of the Board, and is for the location indicated on the application, 8301 Frye 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 entitled "Plat Showing House Location Survey, the Property of Anjum Durreshwar," prepared by Suburban Development Engineering dated October 1, 2010, as revised by the applicant, Cintia J. Alvarado, on June 20, 2014, and approved with this application, as qualified by these development conditions.

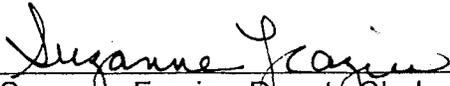
3. A copy of the special permit conditions shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The hours of operation of the home child care facility shall be limited to 6:00 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. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed twelve.
7. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility.
8. The driveway shall be made available for the pick-up and drop-off of the children during the hours of operation.
9. The turn-around area will be left vacant during the hours of operation and parents will be asked not to back out of the driveway onto Frye Road when exiting the site.
10. There shall be no signage associated with the home child care facility.
11. Approval of this use is contingent upon maintenance of a state license for the home child care facility for the children on site.
12. The applicant shall obtain a home occupation permit for the business office located at the property from the Zoning Administrator and comply with regulations in Sect.10-300 of the Zoning Ordinance or vacate the home occupancy use.

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 6-0. Mr. Byers was absent from the meeting.

A Copy Teste:

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

Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals