

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

JANET YAMOAH, JANET HOME DAYCARE, SP 2014-MV-146 Appl. under Sect(s). 8-305 and 3-303 of the Zoning Ordinance to permit a home child care facility. Located at 8208 Cooper St., Alexandria, 22309, on approx. 13,110 sq. ft. of land zoned R-3. Mt. Vernon District. Tax Map 101-3 ((2)) 560. Ms. Theodore 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 March 11, 2015; and

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

1. The applicant is a lessee of the property, and the owners are Yaw Fordjour and Peter Amankona-Diawuo.
2. The present zoning is R-3.
3. The area of the lot is 13,110 square feet.
4. The applicant has indicated that she has read, understands, and concurs with the proposed development conditions, including the modifications as discussed at this hearing.
5. There is a letter from the property owners supporting the application.
6. Staff is recommending approval with the proposed development conditions, and the Board agrees with those findings.
7. There was a re-inspection conducted on February 4, 2015, by staff. The issues that are identified in the staff report have been addressed in terms of zoning and safety issues.

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, Janet Yamoah, Janet Home Daycare, and is not transferable without further action of the Board, and is for the location indicated on the application, 8208 Cooper Street, and is not transferable to other land.

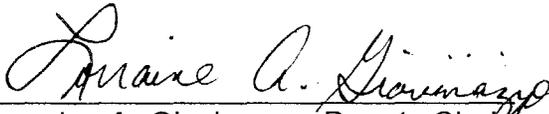
2. This special permit is granted only for the home child care use indicated on the plat titled, "Plat Showing House Location on Lot 560, Timothy Park," as revised by Janet Yamoah, through July 11, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of the 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 12:00 a.m., Monday through Saturday.
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 12 and after 6:00 p.m. shall not exceed 4.
7. A maximum of two non-resident employees, whether paid or not for their services, may be involved in the home child care facility limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday.
8. All pick-up and drop-off of children shall take place within the driveway.
9. There shall be no signage associated with the home child care facility.
10. A minimum of 36 inches of clearance shall be maintained around the furnace and water heater.
11. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number of children being cared for at the home child care facility.
12. The shed shall be locked during the hours of the child care operation.
13. The children's sleeping area shall be located in a room with proper emergency egress.
14. The deck shall not be used in any way for the home child care use, including but not limited to use as a play area or for access to the rear yard until approval of the final inspection to be obtained within 12 months of approval, or until such time as the applicant has demonstrated to the satisfaction of the Zoning Administrator that the deck has been permitted and passed final 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 take effect upon adoption of a resolution of approval by the Board of Zoning Appeals. 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 4-0. Mr. Smith and Mr. Beard were absent from the meeting. Mr. Hammack was not present for the vote.

A Copy Teste:



Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals