

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

KARLA VANESSA TALAVERA, SP 2014-MA-149 Appl. under Sect(s). 8-305 and 3-303 of the Zoning Ordinance to permit a home child care facility. Located at 6806 Hopewell Ave., Springfield, 22151, on approx. 10,500 sq. ft. of land zoned R-3. Mason District. Tax Map 80-2 ((2)) 45. Mr. Hammack 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 the owner of the land.
2. The applicant has read, understands, and agrees to the proposed 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, Karla Vanessa Talavera, and is not transferable without further action of the Board, and is for the location indicated on the application, 6806 Hopewell Avenue, 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, "House Location Survey, Lot 45, Sec 2, Edsall Park Subdivision," as revised by David Talavera, through July 15, 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 7:00 a.m. to 5:30 p.m., Monday through Friday.

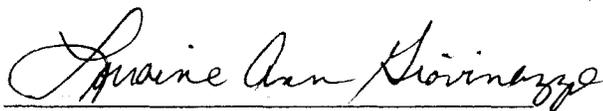
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed 12.
7. A maximum of one non-resident employee, whether paid or not for their services, may be involved in the home child care facility from 7:00 a.m. to 5:30 p.m.
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. The applicant shall either provide photographic evidence, or the property will be re-inspected before the use is established.
11. The location of the accessory storage structure, the shed, is subject to the terms and conditions of the storm sewer easement specifications.
12. 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.
13. Within 12 months of approval, the inoperable vehicle shall be removed from the property or repaired and placed in a proper vehicle location.
14. Within 12 months of approval, the enclosed carport shall be brought into conformance with the Zoning Ordinance (through the removal of lattice) or a separate special permit or variance shall be applied for and diligently pursued.
15. The shed shall remain locked during all hours of the operation 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 take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

Mr. Byers seconded the motion, which carried by a vote of 5-0. Mr. Smith and Mr. Beard were absent from the meeting.

A Copy Teste:



Lorraine A. Giovinazzo, Deputy Clerk  
Board of Zoning Appeals