

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

DEE CALIQU "PRECIOUS CHILDREN'S DAYCARE, LLC", SP 2014-SP-160 Appl. under Sect(s). 8-305 and 3-503 of the Zoning Ordinance to permit a home child care facility. Located at 6009 Ticonderoga Ct., Burke, 22015, on approx. 1,650 sq. ft. of land zoned R-5. Springfield District. Tax Map 78-4 ((12)) 12. 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 March 25, 2015; and

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

1. The applicant is the owner of the land.
2. The zoning is R-5.
3. The lot area is 1,650 square feet.
4. There is a favorable staff report.
5. The applicant has acknowledged reading, understanding, and concurring with the development conditions, including the amendments.

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. The special permit approval for the home child care use is granted to the applicant, Dee Caliqu "Precious Children's Day Care, LLC," and is not transferable without further action of the Board, and is for the property located at 6009 Ticonderoga Court, 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 "Property Report, Lot 12, Section 1, Heritage Square," by John W. Veatch, L.S., dated November 17, 2003, as revised by Dee Caliqu on July 9, 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 will be from 6:30 a.m. to 6:30 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 twelve.
7. A maximum of two non-resident employees may be involved in the home child care facility, limited to the hours of 6:30 a.m. to 6:30 p.m., Monday through Friday.
8. All pick-up and drop-off of children shall occur in two assigned parking spaces related to the townhome. The use is contingent upon a continuing agreement with the homeowners' association.
9. There shall be no signage associated with the home child care facility.
10. 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.
11. Any portions of the dwelling associated with the home child care facility that are used as a children's sleeping/napping area shall be located in a room with proper emergency egress, as defined by the Virginia Uniform Statewide Building Code.

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. Hammack seconded the motion, which carried by a vote of 6-0. Mr. Smith was absent from the meeting.

A Copy Teste:



Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals