

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

MASOMEH AZADI (KIDDO LAND DAYCARE), SP 2014-DR-169 Appl. under Sect(s). 3-E03 and 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 9031 Old Dominion Dr., McLean, 22102, on approx. 2.71 ac. of land zoned R-E. Dranesville District. Tax Map 13-4 ((1)) 20. 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 April 8, 2015; and

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

1. The applicants are the owners of the land.
2. There is a favorable staff recommendation, and the Board adopts the rationale in the staff report.
3. With the imposition of the proposed development conditions, any impacts would be satisfactorily mitigated.
4. The applicant has read and agrees to the development conditions as modified.

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, Masomeh Azadi (Kiddo Land Day Care), and is not transferable without further action of the Board, and is for the location indicated on the application, 9031 Old Dominion Drive, 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 "House Location on the Property of Eugene V. Gentry," by Greenhorne, O'Mara, Dewberry & Nealon, dated December 12, 1963, as revised by the applicant on March 16, 2015, and approved with this application, as qualified by these development conditions.

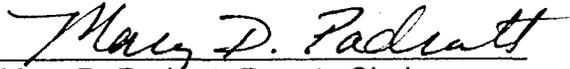
3. A copy of the special permit conditions shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The applicant shall continue to operate with the approved hours of operation, 7:00 a.m. to 6:00 p.m., until granted a revised state license approving the requested hours of operation.
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 7:00 a.m. to 6:00 p.m., Monday through Friday.
8. All pick up and drop off of children shall occur in the driveway.
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. The height and location of the outdoor fireplace shall be brought into conformance with Zoning Ordinance regulations within 6 months of Special Permit approval, and shall be demonstrated to the satisfaction of the Department of Planning and Zoning, Zoning Administration Division.
12. All applicable permits and inspections for the gazebo and the outdoor fireplace shall be obtained within 6 months of Special Permit approval.
13. The inoperable vehicle existing on-site shall be removed from the site or stored in a fully enclosed building or structure, or kept completely screened or shielded from view within 6 months of Special Permit approval.
14. The shed shall be kept locked at all times during the hours of operation of the child care.

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.

Ms. Theodore seconded the motion, which carried by a vote of 7-0.

A Copy Teste:

A handwritten signature in cursive script that reads "Mary D. Padrutt".

Mary D. Padrutt, Deputy Clerk
Board of Zoning Appeals