

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

TEREENA JONES DBA PRE-SCHOOL HOUSE, SP 2014-MV-190 Appl. under Sect(s). 3-803 and 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 2207 Arlington Ter., Alexandria, 22303, on approx. 3,375 sq. ft. of land zoned R-8. Mt. Vernon District. Tax Map 83-1 ((14)) (B) 62 A. Mr. Smith 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 September 30, 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-8.
3. The area of the lot is 3,375 square feet.
4. There is concern about transportation issues, but this day care has been in operation for 22 years without complaints. There are no property owners who have submitted complaints or appeared for the hearing.
5. The applicant has given testimony that this is a well-run child care center. She is a very conscientious operator of the center.
6. The applicant does have her own parking permit and an additional permit for a visitor. The drop off is for a short period of time. There is testimony that part of the orientation includes instructions not to double park, not to park across driveways, and not to park on the wrong side of the street.

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, Tereena Jones, and is not transferable without further action of the Board, and is for the location indicated on the application, 2207 Arlington Terrace, 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, Part of Lot 62A, Block B, Subdivision 14, Section 3, Huntington," by Charles E. Janson, L.S., on December 10, 1998, as revised by Tereena Jones on August 2, 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 applicant shall operate with the approved hours of operation, 6:00 a.m. to 6:00 p.m., Monday through Friday, until a revised home child care license is received from the state with the requested hours of operation from 6:00 a.m. to 5:30 p.m., Monday through Friday and a maximum of eight children.
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 (12).
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. There shall be no signage associated with the home child care facility.
9. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number and ages of children being cared for at the home child care facility.
10. The accessory storage structure shall remain locked during the hours of operation of 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 or rest area shall be located in a room with an operable exterior window, door or similar device that provides for a means of escape and access for rescue in the event of an emergency. Such emergency escape and rescue openings shall be of the dimension and size specified by the Virginia Uniform Statewide Building Code.
12. Within twelve (12) months from the approval of this application, the accessory storage structure (shed) and six (6) foot fence in the front yard abutting the outlet road shall be either deemed to be in conformance or brought into conformance with the Zoning Ordinance, or an application for a special permit or variance (as applicable) shall be filed with the Board of Zoning Appeals to permit these structures to remain.

13. The child care facility shall be operated in accordance with Chapter 30 of the County Code, entitled "Minimum Private School and Child Care Facility Standards".

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

A Copy Teste:



Mary D. Padrutt, Deputy Clerk
Board of Zoning Appeals