

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

XIMENA G. VELASQUEZ / XIMENA'S DAY CARE LLC, SP 2014-SP-207 Appl. under Sect(s). 3-303 and 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 7202 Hadlow Dr., Springfield, 22152, on approx. 9,718 sq. ft. of land zoned R-3 (Cluster). Springfield District. Tax Map 89-3 ((5)) 583. 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 June 17, 2015; and

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

1. The applicant is the owner of the land.
2. There is a favorable staff recommendation, which the Board adopts in general.
3. The applicant has read, understands, and concurs with the proposed development conditions, including the change made at this hearing.

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, Ximena Velasquez, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 7202 Hadlow 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, titled, "Property Report, Lot 583, Section 6, Rolling Valley," as revised by Ximena Velasquez and Ernesto Velasquez through August 25, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit 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.

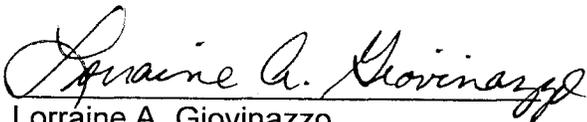
4. The hours of operation of the home child care facility shall be limited to 6:00 a.m. to 6:00 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the applicant's own children, the maximum number of children on site at any one time shall be 12.
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. There shall be no signage associated with the home child care facility.
9. The concrete portion of the driveway shall be kept open for drop-off and pick-up of children during the hours of operation of the home child care, and all drop-off and pick-up shall occur in the driveway.
10. The accessory storage structures (sheds) located on the property shall be kept locked at all times 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 children's sleeping areas shall be located in rooms with proper emergency egress as defined by the Virginia Uniform Statewide Building Code.
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.

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 7-0.

A Copy Teste:



Lorraine A. Giovinazzo
Clerk to the Board of Zoning Appeals