

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

DILSHAD BEGUM D/B/A KID'S 1ST CARE, SP 2014-MV-228 Appl. under Sect(s). 3-203, 8-305, and 8-923 of the Zoning Ordinance to permit a home child care facility, and a fence height greater than 4.0 ft. to remain in a front yard. Located at 8340 Reddick Ave., Alexandria, 22309, on approx. 18,242 sq. ft. of land zoned R-2, HC. Mt. Vernon District. Tax Map 101-4 ((7)) 11. 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 January 6, 2016; and

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

1. The applicant is the lessee of the land, and the owner is on the approved affidavit.
2. The zoning is R-2.
3. The lot area is 18,242 square feet.
4. The applicant has read, understands, and concurs with the development conditions, including the changes 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, Dilshad Begum, Kid's 1st Care, and is not transferable without further action of the Board, and is for the location indicated on the application, 8340 Reddick Avenue, and is not transferable to other land.
2. This Special Permit is granted only for the home child care facility use and the fence in the front yard over four feet in height as indicated on the plat entitled "Plat Showing House Location on Lot 11, Section One | Mt. Zephyr | Fairfax County, VA," prepared by Andrew L. Westerman, L.S., dated March 26, 2009 as modified by Dilshad Begum on October 10, 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 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 7:00 p.m., seven days a week. The number of children on the weekends would be limited to the amount allowable based on the state point system.
5. The dwelling that contains the home 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 two non-resident employees may be involved in the home child care facility, limited to the hours of 7:00am to 6:00pm, Monday through Friday.
8. All pick-up and drop-off of children shall occur on-site in the driveway. The driveway shall be kept clear during the hours of operation of the home child care facility.
9. The existing garage and the existing carport shall not be converted to any use which would preclude the parking of vehicles, and shall be kept clear at all times in order to accommodate parking for the dwelling and the home child care provider.
10. There shall be no signage associated with 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. 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".
13. 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.
14. The applicant shall maintain the mesh screening used along the Reddick Avenue front yard fence in undamaged condition, free of holes and tears.

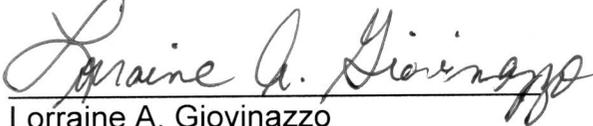
15. The Board of Zoning Appeals did not address specifically the issue of easements on the property.
16. The dog on the property shall be kept enclosed, and shall have no contact with the children enrolled in the home child care facility.

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 Section 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 6-1. Mr. Beard voted against the motion.

A Copy Teste:



Lorraine A. Giovinazzo
Clerk to the Board of Zoning Appeals