

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ROSMERY C. SALINAS / ROS CORPORATION DBA: MAMA ROSIE'S CHILD CARE, SP 2014-MA-245 Appl. under Sect(s). 3-303 and 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 5311 Danville St., Springfield, 22151, on approx. 15,065 sq. ft. of land zoned R-3. Mason District. Tax Map 80-2 ((2)) 166. 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 July 29, 2015; and

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

1. Placida J. Telleria is the owner of the land.
2. The present zoning is R-3.
3. The area of the lot is 15,065 square feet.
4. The applicant has read, understands, and concurs with the proposed development conditions.

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, Rosmery C. Salinas, and is not transferable without further action of the Board, and is for the location indicated on the application, 5311 Danville Street, 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 on Lot 166, Section 1, Edsall Park" prepared by Bryant L. Robinson, L.S., on August 22, 2005, as revised by the applicant Rosmery Salinas on March 31, 2014, as revised by the applicant 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.

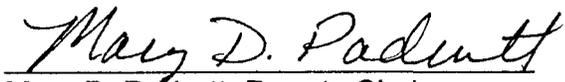
4. The applicant shall continue to operate with the approved hours of operation, 7:30 a.m. to 5:30 p.m., Monday through Friday until the state license is revised to reflect the requested hours of operation, 7:00 a.m. to 5:00 p.m, Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the 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 and ages of children being cared for at the home child care facility.
11. The applicant shall reduce the rear yard coverage to meet all zoning requirements within 6 months of approval of this application.
12. The accessory storage structure shall remain locked during the hours of operation of the home child care facility.
13. 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.
14. 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".
15. The applicant shall obtain all building permits and final inspections for the deck in the rear yard to meet all zoning requirements within 30 days of approval of this application. Until a final inspection is obtained, the applicant shall use the main entrance of the dwelling in the front yard for all access to the home 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 6-0. Mr. Hammack was not present for the vote.

A Copy Teste:



Mary D. Padrutt, Deputy Clerk  
Board of Zoning Appeals