

## COUNTY OF FAIRFAX, VIRGINIA

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

FERIHA IBRAHIM / PERFECT CHILD CARE, SP 2014-LE-257 Appl. under Sect(s). 3-103 and 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 7233 Barry Rd., Alexandria, 22315, on approx. 37,731 sq. ft. of land zoned R-1. Lee District. Tax Map 91-3 ((2)) 2. 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 July 15, 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, and the Board adopts the rationale in the staff report.
3. There is a large driveway, which is sufficient for the pick-up and drop-off.
4. There is a large yard for the play area.
5. With the imposition of the development conditions, any impact on the neighbors has been satisfactorily mitigated.
6. 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, Feriha Ibrahim, and is not transferable without further action of the Board, and is for the location indicated on the application, 7233 Barry Road, 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 2, Section Three, Windsor Estates," prepared by George M. O'Quinn L.S., on December 20, 2004, as revised by the applicant Feriha Ibrahim on December 10, 2014, as revised by the applicant and approved with this application, as qualified by these development conditions.

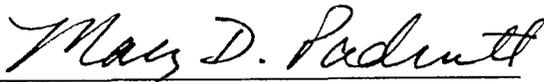
3. A copy of the special permit conditions shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The applicant shall continue to operate within the approved hours of operation, 6:30 a.m. to 6:00 p.m., Monday through Friday, until a revised state license is obtained with the requested hours of operation of 7:00 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 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 screen porch shall not be used in any way for the home child care use, including but not limited to use as a play area or for access to the rear yard until approval of a setback certification and final inspection. The setback certification and final inspection shall be obtained and passed within 90 days.
12. 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.
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. Smith seconded the motion, which carried by a vote of 6-0. Ms. Theodore was absent from the meeting.

A Copy Teste:

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

Mary D. Padrutt, Deputy Clerk  
Board of Zoning Appeals