

**County of Fairfax, Virginia  
Planning Commission Meeting  
December 11, 2019  
Verbatim Excerpt**

*SE 2019-SU-016 SADAF AZHAR RASHID KHAN - Appl. under Sect. 6-405 of the Zoning Ordinance to permit a home child care facility. Located at 13967 Endeavour Dr., Herndon, 20171 on approx. 1,267 sq. ft. of land zoned PRM and WS. Tax Map 24-4 ((7)) (8) 10. (Sully District)*

After the Close of the Public Hearing

Commissioner Tanner: Thank you, Mr. Chairman. This is a pretty straightforward case to permit a home child care facility for up to 12 children at any one time. During the course of this application, we have come - come across several concerns, but the applicant had worked with staff to address those concerns in the development conditions. So, I believe we are ready to move forward. With that Mr. Chairman, are we ready for the motion?

Chairman Murphy: Okay.

Commissioner Tanner: Mr. Chairman I move –

Chairman Murphy: You have to the applicant say –

Commissioner Tanner: Oh Sorry. Will the applicant please come forward? Would you please confirm your agreement to the proposed development conditions dated November 26, 2019?

Sadaf Azhar Rashid Khan, Applicant: Yes, I accept the development conditions that are dated November 26, 2019.

Chairman Murphy: Thank you.

Commissioner Tanner: Thank you. Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2019-SU-016, SUBJECT TO PROPOSED DEVELOPMENT CONDITIONS DATED NOVEMBER 26, 2019.

Commissioner Niedzielski-Eichner: Second.

Chairman Murphy: Second Mr. Niedzielski-Eichner. Is there a discussion of the motion? All those in favor of the motion to recommend to Board of Supervisors that it approve SE 2019-SU-016, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

Commissioner Tanner: Thank you, Mr. Chairman.

The motion carried by a vote of 12-0.

KAS

**PROPOSED DEVELOPMENT CONDITIONS****SE 2019-SU-016****November 26, 2019**

If it is the intent of the Board of Supervisors to approve SE 2019-SU-016 located at Tax Map 24-4 ((7)) (8) 10 to permit an increase in the number of children at a home child care facility pursuant to Section 6-405 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. The special exception (SE) is granted of the location indicated in this application and is not transferable to other land.
2. This special exception is granted only for the home child care use indicated on the plat titled, "Lot 10, Blocks 8, 9 and 10, Discovery Square," prepared by George M. O'Quinn on May 28, 2019, and approved with this application, as qualified by these development conditions.
3. The dwelling that contains the child care facility must be the primary residence of the provider.
4. Excluding the applicant's own children, the maximum number of children on-site at any one time will be 12.
5. The hours of operation of the home child care facility will be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday.
6. In addition to the persons who use the dwelling as their primary residence, one nonresident person, 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.
7. All pick-up and drop-off of children will be staggered and take place within the driveway of the subject property. The driveway must be kept clear and open during the hours of operation of the home child care facility for this purpose.
8. The use of the on-site outdoor play area is limited to no more than five children at any given one time.
9. The applicant reserves the right to construct a fence in the rear yard if the Home Owners Association approves the request.
10. There will 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 area or rest area must 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 must be of the dimension and size specified by the Virginia Uniform Statewide Building Code.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, will not relieve the Applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The Applicant will be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception will not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception will automatically expire, without notice, 30 months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.